

SENATE BILL No. 157

DIGEST OF INTRODUCED BILL

Citations Affected: IC 7.1-1-3; IC 7.1-3-10.

Synopsis: Liquor dealer's permits for grocery stores. Allows a grocery store to receive a liquor dealer's permit.

Effective: July 1, 2002.

Meeks R

January 7, 2002, read first time and referred to Committee on Commerce and Consumer Affairs.

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Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

SENATE BILL No. 157

A BILL FOR AN ACT to amend the Indiana Code concerning alcoholic beverages.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 7.1-1-3-15 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 15. ~~Drug Store: The~~
3 ~~term~~ "Drug store" means a retail business establishment:

- 4 (1) in which medicines and miscellaneous articles are sold; and
5 (2) whose proprietor holds a license issued by the state board
6 of pharmacy.

7 SECTION 2. IC 7.1-1-3-18.5 IS ADDED TO THE INDIANA
8 CODE AS A NEW SECTION TO READ AS FOLLOWS
9 [EFFECTIVE JULY 1, 2002]: Sec. 18.5. "Grocery store" means a
10 store or a department within a general merchandise store that is
11 engaged primarily in the retail sale of packaged food directly to the
12 consumer for off premises consumption. The term does not include
13 a store that is engaged primarily in the sale of food prepared for
14 consumption:

- 15 (1) on the premises; or
16 (2) after removal from the premises on a "take out" basis.

17 SECTION 3. IC 7.1-3-10-2 IS AMENDED TO READ AS



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1 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 2. ~~Drug Stores~~. The
 2 commission may issue a liquor dealer's permit to the proprietor of a
 3 drug store ~~who holds a license issued by the state board of pharmacy.~~
 4 **or a grocery store**. An applicant for a liquor dealer's permit for a drug
 5 store **or a grocery store** shall not be disqualified under ~~IC 1971,~~
 6 ~~7.1-3-4-2(m).~~ **IC 7.1-3-4-2(13).**

7 SECTION 4. IC 7.1-3-10-3 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 3. The commission may
 9 issue a liquor dealer's permit to a drugstore **or a grocery store** situated
 10 outside the corporate limits of a city or town. ~~if the proprietor of the~~
 11 ~~drugstore holds a license issued by the state board of pharmacy.~~ The
 12 permit authorized by this section shall be issued in the same manner,
 13 and subject to the same restrictions, as that which is provided for in the
 14 issuance of a liquor dealer's permit to a drugstore **or a grocery store**
 15 situated inside the corporate limits of a city or town.

16 SECTION 5. IC 7.1-3-10-7, AS AMENDED BY P.L.204-2001,
 17 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2002]: Sec. 7. (a) The holder of a liquor dealer's permit shall
 19 be entitled to purchase liquor only from a permittee entitled to sell to
 20 a liquor dealer under this title.

21 (b) A liquor dealer shall be entitled to possess liquor and sell it at
 22 retail in its original package to a customer only for consumption off the
 23 licensed premises.

24 (c) A liquor dealer may deliver liquor only in permissible containers
 25 to a customer's residence or office in a quantity that does not exceed
 26 twelve (12) quarts at any one (1) time. However, a liquor dealer who
 27 is licensed under IC 7.1-3-10-4 may deliver liquor in permissible
 28 containers to a customer's residence, office, or designated location.
 29 This delivery may only be performed by the permit holder or an
 30 employee who holds an employee permit. The permit holder shall
 31 maintain a written record of each delivery for at least one (1) year that
 32 shows the customer's name, location of delivery, and quantity sold.

33 (d) A liquor dealer may not sell or deliver alcoholic beverages or
 34 any other item through a window in the licensed premises to a patron
 35 who is outside the licensed premises. However, a liquor dealer that is
 36 a drug store **or a grocery store** may sell ~~prescription drugs and health~~
 37 ~~and beauty aids~~ **any item that is not an alcoholic beverage** through
 38 a window in the licensed premises to a patron who is outside the
 39 licensed premises.

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